

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

MICHAEL J. STUMPF,
Plaintiff,

Honorable Madeline Cox Arleo
Civil Action No. 09-6574 (SDW)

REPORT AND RECOMMENDATION

V.

NOVARTIS PHARMACEUTICALS
CORPORATION,

Defendant.

THIS MATTER having come before the Court upon the motion of Plaintiff Michael Stumpf for remand and for costs and fees (Docket Entry No. 6) (Elizabeth Seitz, Esq., appearing) upon notice to Defendant Novartis Pharmaceuticals Corporation (Christopher Mayer, Esq., appearing), and the Court having considered the papers submitted in support of and in opposition to the remand motion and having heard the argument of the parties, and for the reasons set forth on the record on April 21, 2010, and for good cause shown;

IT IS on this 21st day of April 2010,

RECOMMENDED THAT Plaintiff's motion to remand (Docket Entry No. 6) be **GRANTED**; and

IT IS FURTHER RECOMMENDED THAT Plaintiff's request for an award of attorney's fees and costs pursuant to 28 U.S.C. § 1447(c) be **DENIED**.

The parties have fourteen (14) days from the date hereof to file objections.

s/Madeline Cox Arleo
MADELINE COX ARLEO
United States Magistrate Judge

cc: Hon. Susan D. Wigenton, U.S.D.J.
Clerk of the Court
All Parties
File